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10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13

14 MICHAEL MOATES,

Case No. 3:22-cv-04478-RFL

15 Plaintiff,

**DEFENDANT META PLATFORMS,  
INC.'S RE-NOTICE OF MOTION TO  
DISMISS**

16 v.

17 META PLATFORMS, INC. et al.,

Hearing Date: February 27, 2024

18 Defendants.

Time: 10:00 am

Dept: 19

Judge: Honorable Rita F. Lin

## **NOTICE OF MOTION AND RELIEF SOUGHT**

PLEASE TAKE NOTICE that the hearing of Defendant Meta Platforms, Inc.'s Motion to Dismiss Plaintiff's Second Amended Complaint (Dkt. No. 63), previously noticed for June 22, 2023 at 10:00 a.m. in the Courtroom of Honorable Araceli Martinez-Olguin, and subsequently vacated for decision without hearing (Dkt. No. 73-1), is hereby re-noticed for February 27, 2024 at 10:00 a.m. in the Courtroom of Rita F. Lin, located at United States District Court, San Francisco Division, 450 Golden Gate Avenue, San Francisco, CA 94102.

Dated: December 7, 2023

JACOB M. HEATH  
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Jacob M. Heath  
JACOB M. HEATH  
Attorney for Defendant  
Meta Platforms, Inc.

## PROOF OF SERVICE

I am employed in the County of San Mateo, State of California. I am over the age of 18 years old and not a party to this action. My business address is Orrick, Herrington & Sutcliffe LLP, 1000 Marsh Road, Menlo Park, California 94025. On December 7, 2023, I served the following document(s) entitled:

**DEFENDANT META PLATFORMS, INC.'S RE-NOTICE OF MOTION TO DISMISS.**

on all interested parties to this action in the manner described as follows:

Michael Moates  
6004 Oakland Bend., #116  
Denton, TX 76112  
[mike@cpmht.com](mailto:mike@cpmht.com)

- (VIA EMAIL)** On December 7, 2023, via electronic mail in Adobe PDF format the document(s) listed above to the electronic address(es) set forth below.
- (VIA U.S. MAIL)** On April 7, 2023 by placing a true copy of the document(s) listed above in an envelope, with postage thereon fully prepaid, addressed as set forth below and then sealing the envelope and depositing it in the U.S. mail at Menlo Park, CA.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed on December 7, 2023, at Menlo Park, California.

/s/ Sema Virrueta  
Sema Virrueta